

Introduced by Senator Yee

February 22, 2013

An act to add Chapter 4 (commencing with Section 3300) to Division 3 of the Elections Code, relating to voting.

LEGISLATIVE COUNSEL'S DIGEST

SB 637, as amended, Yee. ~~Secretary of State: report: voting prior to election day. Early voting.~~

Existing law establishes procedures for voters to apply for a vote by mail ballot and use the ballot to vote in an election. Existing law allows a jurisdiction in which vote by mail ballots are cast to begin processing vote by mail ballots 29 days before the election.

This bill would require the Secretary of State to assist local elections officials in promoting and expanding the practice of early voting, as defined, consistent with specified statutory authority. The bill would define "early voting" to mean voting a vote by mail ballot in person at the office of the elections official or another location designated by the elections official either before or on the day of the election. The bill would require the Secretary of State to report to the Legislature by January 1, 2015, regarding the assistance provided to local elections officials pursuant to the bill and the results achieved by local elections officials in promoting and expanding the practice of early voting. This reporting requirement would become inoperative on January 1, 2018.

~~Existing law imposes various duties on the Secretary of State with regard to registering voters and conducting elections.~~

~~This bill would require the Secretary of State to conduct a study regarding early voting options and report to the Legislature on or before~~

January 1, 2015, regarding the results of the study. The bill would specify factors to be considered in the study. These provisions would repeal on January 1, 2016.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Chapter 4 (commencing with Section 3300) is*
2 *added to Division 3 of the Elections Code, to read:*

3
4 *CHAPTER 4. EARLY VOTING.*
5

6 3300. For purposes of this chapter, “early voting” means
7 voting a vote by mail ballot in person at the office of the elections
8 official or another location designated by the elections official
9 either before or on the day of the election.

10 3301. (a) The Secretary of State shall assist local elections
11 officials in promoting and expanding the practice of early voting
12 consistent with the authority granted by this division. In providing
13 assistance to local elections officials pursuant to this section, the
14 Secretary of State shall consider all of the following:

15 (1) The feasibility of establishing locations in addition to county
16 registrar’s offices for early voting.

17 (2) Practices used in other states to provide for voting before
18 the day of the election.

19 (3) Ensuring that early voting locations and procedures comply
20 with disability access requirements under federal and state law.

21 (b) The Secretary of State shall report to the Legislature by
22 January 1, 2015, regarding the assistance provided to local
23 elections officials pursuant to this section and the results achieved
24 by local elections officials in promoting and expanding the practice
25 of early voting.

26 (1) The report required by this subdivision shall be submitted
27 in compliance with Section 9795 of the Government Code.

28 (2) Pursuant to Section 10231.5 of the Government Code, this
29 subdivision shall become inoperative on January 1, 2018.

30 ~~SECTION 1. (a) The Secretary of State shall conduct a study~~
31 ~~regarding early voting options and report to the Legislature on or~~

1 ~~before January 1, 2015, regarding the results of the study. The~~
2 ~~study shall include consideration of all of the following:~~

3 ~~(1) Methods of expanding and promoting early voting.~~

4 ~~(2) Establishing locations in addition to county registrar's offices~~
5 ~~for voters to complete early voting ballots.~~

6 ~~(3) Practices adopted by other states to provide voters with early~~
7 ~~voting options.~~

8 ~~(4) Ensuring that early voting options that may be adopted by~~
9 ~~the state are compliant with the federal Americans with Disabilities~~
10 ~~Act of 1990 (42 U.S.C. Sec. 12101 et seq.).~~

11 ~~(b) (1) The report required by subdivision (a) shall be submitted~~
12 ~~in compliance with Section 9795 of the Government Code.~~

13 ~~(2) Pursuant to Section 10231.5 of the Government Code, this~~
14 ~~section is repealed on January 1, 2016.~~